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Natalie M. Cox

Honorable Natalie M. Cox
United States Bankruptcy Judge



Entered on Docket
May 16, 2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * * * *

In re:) Case No.: 22-14422-nmc
MUSCLEPHARM CORPORATION,) Chapter 11
Debtor.) Date: June 15, 2023; 9:30 a.m. (ECF No. 509)
) Date: May 25, 2023; 10:00 a.m. (ECF No. 447)
)

**ORDER REGARDING (I) EX PARTE APPLICATION FOR ORDER SHORTENING
TIME TO HEAR EMERGENCY MOTION TO ENFORCE *INTERCREDITOR AND
SUBORDINATION AGREEMENT* UNDER SECTION 510(a) OF THE BANKRUPTCY
CODE [ECF NO. 509] AND (II) MOTION FOR THE APPOINTMENT OF A CHAPTER
11 TRUSTEE [ECF NO. 447]¹ AND SETTING HEARINGS**

The Court held a hearing on various matters on May 16, 2023, at which time counsel entered appearances for, among other parties, Debtor, the Unsecured Creditors Committee, Empery Tax Efficient LP, and Ryan Drexler. At that hearing, the parties raised issues not on that morning's calendars, including, in pertinent part, Drexler's Motion for the Appointment of a Chapter 11 Trustee ("Trustee Motion") (ECF Nos. 447-448), filed on April 28, 2023, and Empery's Ex Parte Motion for Order Shortening Time to Hear ("OST") Emergency Motion to Enforce *Intercreditor and Subordination Agreement* Under Section 510(a) of the Bankruptcy Code ("Emergency Motion") (ECF Nos. 506-510), filed on May 15, 2023. Although the Court informed the parties that it had not yet had the opportunity to review the recently filed OST, the Court

¹ All references to "ECF No." are to the documents filed in the above-captioned bankruptcy case.

1 allowed the parties to present argument and stated it would issue a decision on the OST after the
2 hearing.

3 After reviewing the OST, and considering counsel's arguments at the May 16 hearing, the
4 Court's calendar, and the anticipated course of this case as discussed by the parties,

5 IT IS HEREBY ORDERED that a telephonic hearing on the Emergency Motion (ECF No.
6 509) shall be held before U.S. Bankruptcy Judge Natalie M. Cox on **June 15, 2023, at 9:30 a.m.**,
7 subject to the deadlines and procedures identified in Local Rule 9014.

8 IT IS FURTHER ORDERED that a telephonic status hearing regarding the potential
9 rescheduling of the Trustee Motion (ECF No. 447) and stay of discovery regarding the same
10 pending a determination on the Emergency Motion shall be held before U.S. Bankruptcy Judge
11 Natalie M. Cox on **May 25, 2023, at 10:00 a.m.** Parties may, but are not required to, submit a
12 statement of position not exceeding three (3) pages no later than **May 23, 2023, at 5:00 p.m.**
13

14 The call-in information for both the May 23, 2023, and the June 15, 2023, telephonic
15 hearings are as follows: (669) 254-5252, Meeting ID 161 166 2815, Access Code/Passcode
16 115788#.

17 IT IS SO ORDERED.

18 Copy sent via CM/ECF ELECTRONIC FILING

19 Copy sent via Claims Agent to mailing matrix

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